

# NEBRASKA ADMINISTRATIVE CODE

## Title 68 - DEPARTMENT OF CORRECTIONAL SERVICES

### Chapter 7 - REHABILITATION OPPORTUNITIES

001 Applicability. The provisions of this rule shall apply to all facilities operated by the Department of Correctional Services.

002 Departmental Policy. It is the Department's policy to provide psychological treatment, sociological development programs, rehabilitation opportunities, and educational or employment programs to those inmates who are in need of such treatment or programs. The specific treatment and programming available to an inmate will depend upon where the inmate resides and the inmate's custody classification.

003 Inmate Assignment. Female inmates shall be assigned to the Nebraska Correctional Center for Women until discharged or until granted parole or Community custody status. Male inmates shall be received at the Diagnostic and Evaluation Center, from which they shall be assigned to a facility within the jurisdiction of the Department. Such assignment will be based on a number of factors including the inmate's custody classification, his age, the length of his sentence, nature of his offense, his institutional conduct, and his special programming needs. Programs, services, and activities will be made available to inmates whose custody rating and facility placements permit them to participate.

003.01 Programming. It is the Department's policy that equal opportunity for all available programming be made available to all inmates in the general populations of the Department's long-term residence facilities.

003.02 Work Programs. It is the Department's policy that work opportunities be made available to all inmates in the general populations of the Department's long-term residence facilities. The Department may require such inmates to participate in work programs, upon penalty of disciplinary actions.

003.03 Recreation. It is the Department's policy that opportunities for physical exercise be made available to all inmates in the Department's facilities.

003.04 Religious Practices. It is the Department's policy that all inmates in its facilities have an opportunity to practice the religion of their choice. However, participation in congregate religious services may be limited to those inmates in general population.

003.05 Expression and Association. It is the Department's policy that inmates shall retain their freedoms of expression and association except to the extent that the practice of such freedoms may interfere with safety, security, and good order of the correctional institution or the correctional goals of rehabilitation. Inmates may form clubs and other associations with the permission of the Chief Executive Officer of the institution. Other rights of inmates with respect to expression and association are outlined in the Department's rules regarding mail and visitation

003.06 Health Maintenance. It is the Department's policy that all inmates shall have the opportunity to receive health maintenance services and that no inmate's physical condition shall be allowed to deteriorate due to inaction or indifference on the part of Department employees.

003.07 Furloughs for Inmates. A furlough is an unsupervised release from the physical custody of the Department with the approval of the Director of the Department and the Board of Parole. Furloughs shall be made available only to those inmates who, in the opinion of the Director and Board of Parole, pose a minimal risk to the community and will benefit from the opportunity for such an unsupervised release from custody.

003.08 Community Custody. Community custody status refers to the placement of an inmate on a work release, educational release or work detail program permitting the inmate to leave the physical custody of the Department without supervision on a periodic and continuing basis. Like furloughs, inmates can acquire work release or educational release status only with the approval of the Director of the Department and the Board of Parole. The Director or his designee will approve community custody status only for those inmates who pose a minimal threat to the community and will benefit from rehabilitation opportunities available through the Community Corrections Program.

003.09 Inmate Privacy. Inmates are considered to be responsible for preserving their own privacy by wearing appropriate attire in individual rooms, dormitories, day areas, and other areas of the institutions.

General Statutory Power: Neb. Rev. Stat. §§83-171 to 83-187, and 83-4, 111.